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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

7 DAVID L. BELMONTE, also known
8 as DAMEAS SHIRUK DURANZAN,

9 Plaintiff,

10 v.

11 KING COUNTY, et al.,

12 Defendants.

C24-1763 TSZ

ORDER

13 THIS MATTER comes before the Court on Plaintiff Dameas Duranzan's Motion
14 for Relief from Order, docket no. 10. Having reviewed all papers filed in support of the
15 motion, the Court enters the following order.

16 On January 3, 2025, the Court adopted a Report and Recommendation, docket
17 no. 4, and dismissed this case without prejudice for failure to prosecute and failure to
18 comply with court orders. Order at 2 (docket no. 6). On February 5, 2025, Plaintiff filed
19 a Motion for Relief from Order, docket no. 10, pursuant to Federal Rule of Civil
20 Procedure 60, and a declaration in support of the Motion, docket no. 11. Plaintiff made
21 several requests and stated he was transferred from a King County jail to Coyote Ridge
22 Corrections Center ("CRCC"), a Washington Department of Corrections ("DOC")
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1 facility, and never received notice or service of the Report and Recommendation or the
2 Court's Order until after the case was dismissed. Mot. at 1 (docket no. 10); Duranzan
3 Decl. at 1–2 (docket no. 11); see also Duranzan Letter dated January 15, 2025 (docket
4 no. 7) (notifying the Court of a change in address to CRCC). While Plaintiff's name in
5 the caption of this case is listed as "David Belmonte," Plaintiff stated that his only true,
6 correct, and legal name is Dameas Duranzan. Duranzan Decl. at 2 (docket no. 11).
7 Plaintiff appears to claim that a DOC librarian was unable to find cases with Plaintiff's
8 name due to how this case is captioned. See id. On April 4, 2025, the Court entered a
9 Minute Order, docket no. 14, that permitted Plaintiff to file any objections to the Report
10 and Recommendation on or before April 25, 2025, re-noted Plaintiff's Rule 60 motion to
11 the same day, and directed the Clerk to send a copy of the Minute Order to "Plaintiff
12 Dameas Duranzan."

13 It has now been over 30 days after Plaintiff's deadline to file any objections to the
14 Report and Recommendation passed. Plaintiff has not filed any objections. In his
15 Rule 60 Motion, Plaintiff requested the Court consolidate this case with *Belmonte v. King*
16 *County* (2:24-cv-00518). Mot. at 1 (docket no. 10). In that case, Plaintiff is identified on
17 the docket as "David L. Belmonte also known as Dameas Shiruk Duranzan," which is the
18 same as the instant case. The DOC facility, mailing address, and contact information are
19 also the same for Plaintiff on both dockets. In that case, however, Plaintiff signed and
20 dated a Notice of Appeal, docket no. 27 (2:24-cv-00518), on April 18, 2025. In the
21 Notice of Appeal, see id., he has identified the Washington State Penitentiary, as the
22 current DOC facility where he resides and listed its address. Nevertheless, the Court
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1 concludes that Plaintiff has been receiving copies of filings in this case including the
2 Court's Minute Order, docket no. 14. Accordingly, Plaintiff's Rule 60 Motion, docket
3 no. 10, and all requests contained therein are DENIED.

4 **Conclusion**

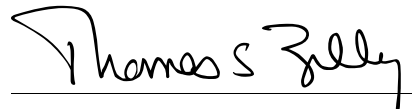
5 For the foregoing reasons, the Court ORDERS:

6 (1) Plaintiff Dameas Duranzan's Motion for Relief from Order, docket no. 10,
7 is DENIED.

8 (2) The Clerk is directed to send a copy of this Order to Plaintiff Dameas
9 Duranzan at the Washington State Penitentiary: docwspinmatefederal@DOC1.WA.GOV;
10 1313 N 13th Ave, Walla Walla, WA 99362.

11 IT IS SO ORDERED.

12 Dated this 29th day of May, 2025.

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15 Thomas S. Zilly
16 United States District Judge
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